

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95814
(916) 445-8448
FAX (916) 323-0280
www.dfg.ca.gov/wcb

NOTICE OF MEETING**WILDLIFE CONSERVATION BOARD**

May 23, 2002

10:00 A.M.

¹/State Capitol, Room 113
Sacramento, California 95814

FINAL AGENDA ITEMS

<u>ITEM NO.</u>	<u>PAGE</u>
1. <u>Roll Call</u>	1
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*6. <u>Recovery of Funds</u>	5

* Proposed Consent Calendar

** Project added to calendar after preliminary agenda was distributed.

¹/ These facilities are accessible to persons with disabilities.

- *7. San Bernardino Mountains Wildlife Corridor, \$166,972.00 8
Upper Deep Creek, San Bernardino County

To consider the allocation of a grant to the San Bernardino Mountains Land Trust to assist in the acquisition of a one-third ownership interest in 126± acres of land preserving wildlife habitat and wildlife corridors near the town of Arrowhead. [General Fund]

- *8. Lokern Ecological Reserve, Expansion 20, Kern County \$18,000.00 9

To consider the acquisition of 38± acres of privately-owned land as an expansion of the Department of Fish and Game-owned Lokern Ecological Reserve, located approximately 30 miles west of Bakersfield, near the town of Buttonwillow, for the protection of numerous rare natural communities and threatened and endangered species. [Department of Water Resources - Mitigation Funds]

- *9. Black Mountain Preserve, Expansion 1, Fresno County 11

(This item has been withdrawn from consideration at this meeting.)

- *10. Madera Farmland Conservation Area, \$10,000.00 and Tax Credit 11
Phase II, Madera County

To consider the approval of an application for inclusion into the Natural Heritage Preservation Tax Credit Program of partial donations by seven landowners of agricultural conservation easements totaling approximately 327± acres to the American Farmland Trust and approval of \$619,226.00 in tax credits pursuant to the provisions of the tax credit program. [General Fund]

- *11. East Merced Vernal Pool Grassland Preserve, \$3,005,000.00 14
Expansion 5, Merced County

To consider the allocation of a grant to The Nature Conservancy to assist in a cooperative project to acquire 3,074± acres of private land as an expansion of the East Merced Vernal Pool Grassland Preserve, located approximately six miles north of the City of Merced for the protection of critical vernal pool grassland habitat. [General Fund]

- *12. Merced River Salmon Habitat Preservation Project \$276,775.00 16
(Augmentation), Robinson Cattle Company, Merced County

To consider an augmentation of funding for the acquisition of a conservation easement and gravel rights over 310± acres of private land as a cooperative project with the Department of Water Resources and the Department of Fish and Game to provide salmon spawning gravel and protect seasonal and permanent wetlands and other related upland and riparian habitat along the upper Merced River, located

approximately ten miles north of the City of Merced. [Habitat Conservation Fund, Section 2786 (e/f) and the General Fund]

- *13. Watsonville Slough Ecological Reserve, Expansion 4, \$3,000.00 18
Santa Cruz County

To consider the acceptance of a donation of a conservation easement over 18± acres of land as an expansion of the Department of Fish and Game's Watsonville Slough Ecological Reserve, located approximately 2 miles west of the City of Watsonville, for protection of coastal wetlands and to consider the allocation of funds in the amount of \$3,000.00 to cover administration expenses of accepting the property. [Habitat Conservation Fund, Section 2786 (d)]

- *14. Suisun City Improvements (Peytonia Slough Ecological \$133,670.00 19
Reserve), Solano County

To consider a cooperative project with Suisun City to improve public access at the Department of Fish and Game's Peytonia Slough Ecological Reserve, Suisun Slough and the Suisun Marsh. Planned improvements include replacing an existing 22-year-old restroom with a modern barrier-free facility and a fish cleaning station. [Wildlife Restoration Fund]

- *15. Pitkin Marsh Ecological Reserve, Sonoma County \$283,200.00 21

To consider the acquisition of 6± acres of privately-owned land, located approximately five miles northwest of Sebastopol, for the protection of significant riparian habitat, including rare and endangered plant species. [Habitat Conservation Fund, Section 2786 (d)]

- *16. Yolo Bypass Wildlife Area, Expansion 5, Yolo County \$207,000.00 22

To consider the acquisition of 100± acres of privately-owned land as an addition to the Department of Fish and Game's Yolo Bypass Wildlife Area, lying south of Interstate 80, east of Road 104, within the Yolo Bypass in Yolo County. Potential future uses include some form of agriculture, wetlands and preservation of habitat for waterfowl, shorebirds and other wetland-associated species. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(1)(A), the General Fund and the Habitat Conservation Fund, Section 2786 (d)]

- *17. Lake Earl Wildlife Area, Expansion 23, Del Norte County \$154,000.00 23

To consider the acquisition of 24.13± acres of land as an expansion of the Department of Fish and Game's Lake Earl Wildlife Area, located approximately four miles north of Crescent City, for purposes of protecting and enhancing coastal wetlands and associated upland habitats. [Habitat Conservation Fund, Section 2786 (d)]

18. San Timoteo Canyon, Riverside County \$2,000.00 and Tax Credit 25

To consider the approval of an application for inclusion into the Natural Heritage Preservation Tax Credit Program of a donation of 438± acres to the Riverside Land Conservancy and approval of \$1,081,158.00 in tax credits to the donors pursuant to the provisions of the tax credit program. [General Fund]

19. Duarte Hills, Los Angeles County 27

(This item has been withdrawn from consideration at this meeting.)

20. Moorpark Hills, Ventura County \$2,000.00 and Tax Credit 27

To consider the approval of an application for inclusion into the Natural Heritage Preservation Tax Credit Program of a donation of 200± acres to the Mountains Recreation and Conservation Authority and approval of \$3,327,500.00 in tax credits for the donor pursuant to the provisions of the tax credit program. [General Fund]

21. Monarch Point, Santa Barbara County 28

(This item has been withdrawn from consideration at this meeting.)

22. Joshua Creek Canyon Ecological Reserve, Expansion 1 \$5,030,000.00 28
(Palo Corona Ranch), Monterey County

To consider the allocation of a grant to the Big Sur Land Trust to assist in a cooperatively funded project to purchase 7,128.6± acres of land located on the east side of Highway 1, approximately one mile southeast of the town of Carmel, and authorization to accept a portion of the property as an expansion of the Department of Fish and Game's Joshua Creek Canyon Ecological Reserve for the preservation of existing natural coastal riparian habitats and numerous plant and animal species. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(5)]

23. Wetland Habitat Restoration, Moss Landing Wildlife Area, \$655,000.00 30
Monterey County

To consider the allocation of a grant to Ducks Unlimited, Inc., for a cooperative project with the Department of Fish and Game and the Board to restore 153 ± acres of wetland and endangered species habitat on the Department of Fish and Game's Moss Landing Wildlife Area, located one mile north of the City of Moss Landing. [General Fund]

24. Bixby Ranch, Expansion 1, Monterey County \$2,005,000.00 32

To consider the allocation of a grant to the U.S. Forest Service to assist in the acquisition of 170± acres of land as an expansion of the Bixby Ranch, located on both sides of Highway 1 in Big Sur, to protect 11 continuous miles of California's coastline and to protect sensitive habitat for threatened and endangered species. [General Fund-Land Conservation Matching Grants Program]

25. Big Break Fishing Pier, Contra Costa County \$500,270.00 34

To consider a cooperative project with the East Bay Regional Park District (EBRPD) to construct public fishing access facilities at the Big Break Regional Shoreline on an EBRPD-owned, waterfront parcel in the City of Oakley. Planned improvements include a barrier-free fishing pier, parking lot, access road and trail. [General Fund]

26. Wetland Habitat Restoration, Suisun Marsh, Solano County \$445,000.00 36

To consider the allocation of a grant to the California Waterfowl Association, for a cooperative project with the Suisun Resource Conservation District, the Department of Fish and Game and the Board to replace large worn-out water control structures on privately owned property located throughout the Suisun Marsh, in southern Solano County. [General Fund-Land Conservation Matching Grants Program]

27. East Sacramento County Blue Oak Legacy Area, Sacramento County \$2,005,000.00 38

To consider the allocation of a grant to the Sacramento Valley Open Space Conservancy to assist in a cooperatively funded project to purchase 2,054± acres of privately-owned property located adjacent to the community of Rancho Murieta, for the protection of oak woodlands and habitat for numerous threatened, endangered and rare species. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(5)]

28. Howe Creek Conservation Area, Humboldt County \$921,250.00 39

To consider the allocation of a grant to The Pacific Forest Trust for a cooperative project with the landowner and the State Coastal Conservancy for the acquisition of a conservation easement over 3,640± acres of private land, located near the community of Rio Dell for the protection of riparian habitat, old growth forests and

grasslands. [General Fund-Land Conservation Matching Grants Program]

29. Riparian Habitat Restoration, Sheepy Creek \$110,000.00 40
(Cross Ranch), Siskiyou County

To consider the allocation of a grant to the California Waterfowl Association to restore approximately 78 acres of riparian habitat along Sheepy Creek, located on private land approximately 5 miles east of the town of Dorris. [General Fund]

- **30. Monrovia Wilderness Preserve, Los Angeles County \$9,035,000.00 43

To consider the allocation of a grant to the City of Monrovia in an amount not to exceed \$9,000,000.00, to assist the City in its acquisition of 429± acres of land lying within the city limits of Monrovia, for the preservation of wildlife corridors and habitat for threatened and endangered species. [General Fund - Land Conservation Matching Grants Program]

31. Staff Report - Easement Transfers Informational 44

Report on easement transfers made over Department of Fish and Game or Wildlife Conservation Board controlled lands pursuant to authority granted by the Wildlife Conservation Board on February 24, 1998.

(Inquiries regarding agenda items may be directed to Al Wright, Executive Director of the
Wildlife Conservation Board, at the address and telephone number shown on the letterhead.)

STATE OF CALIFORNIA-THE RESOURCES AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

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WILDLIFE CONSERVATION BOARD

May 23, 2002

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Michael Flores, Chairperson
President, Fish and Game Commission
B. Timothy Gage, Member
Director, Department of Finance
Robert C. Hight, Member
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Senator Sheila Kuehl
Senator Jack O'Connell
Senator Byron Sher
Assembly Member Hannah-Beth Jackson
Assembly Member Virginia Strom-Martin
Assembly Member Howard Wayne

EXECUTIVE DIRECTOR

Al Wright

2. Funding Status as of May 23, 2002 (Informational)

(a) 2001-02 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Minor Projects \$200,000.00

(b) 2000-01 Wildlife Restoration Fund Capital Outlay Budget

Legislation, San Francisco Baylands Restoration
Program Account \$25,000,000.00
Less Previous Board Allocations (50,000.00)
Unallocated Balance \$24,950,000.00

(c) 1999-00 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition \$200,000.00
Less Previous Board Allocations (26,000.00)
Unallocated Balance \$174,000.00

(d) 2001-02 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget \$19,963,500.00
Less Previous Board Allocations (5,516,821.00)
Unallocated Balance \$14,446,679.00

(e) 2000-01 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget \$20,005,000.00
Less Previous Board Allocations (19,394,521.62)
Unallocated Balance \$607,478.38

(f) 1999-00 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget \$18,932,000.00
Less Previous Board Allocations (18,560,605.09)
Unallocated Balance \$371,394.91

(g) 2001-02 General Fund Capital Outlay (Local Assistance) Budget

Governor's Budget \$300,000.00
Less Previous Board Allocations (250,000.00)
Less General Fund Reduction (Chaptered Legislation) . . . (50,000.00)
Unallocated Balance 0.00

(h) 2000-01 General Fund Capital Outlay Budget

Governor's Budget \$115,000,000.00
Less Previous Board Allocations (78,420,773.00)
Unallocated Balance \$36,579,227.00

(i) 1999-00 General Fund Capital Outlay Budget

Governor's Budget \$33,100,000.00
Less Previous Board Allocations (31,498,320.23)
Unallocated Balance \$1,601,679.77

(j) 1999-00 Harbors and Watercraft Revolving Fund

Governor's Budget \$1,050,000.00
Less Previous Board Allocations (1,050,000.00)
Unallocated Balance \$0.00

(k) 2000-01 Safe Drinking Water, Clean Water, Watershed Protection and
Flood Protection Bond Fund (River Protection Subaccount)

Governor's Budget \$24,000,000.00
Less Previous Board Allocations (18,453,480.00)
Unallocated Balance \$5,546,520.00

(l) 2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and
Coastal Protection Bond Fund Capital Outlay Budget

Governor's Budget \$216,125,000.00
Less Previous Board Allocations (91,377,955.00)
Unallocated Balance \$124,747,045.00

Governor's Budget
(San Joaquin River Conservancy Projects) \$14,562,000.00

Less Previous Board Allocations (7,090,047.00)
Unallocated Balance \$7,471,953.00

(m) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and
Coastal Protection Bond Fund

Continuously Appropriated [Sections 5096.350 (a)(1),
(2), (4) and (7)] \$38,000,000.00
Less Previous Board Allocations (15,572,117.00)
Unallocated Balance \$22,427,883.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a), (b) and (c) \$25,324,000.00
Habitat Conservation Fund (d), (e) and (f) \$19,317,379.29
General Fund (g), (h) and (i) \$38,180,906.77
Harbors and Watercraft Revolving Fund (j) \$0.00
Safe Drinking Water, Clean Water, Watershed Protection and
Flood Protection Bond Fund (k) \$5,546,520.00
Safe Neighborhood Parks, Clean Water, Clean Air, and
Coastal Protection Bond Fund (l) and (m) \$154,646,881.00

RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000

Natural Heritage Preservation Tax Credit Act of 2000

Total Tax Credit Available, Chapter 113, Statutes of 2000 \$100,000,000.00
Less Previously Board Approved Tax Credits for
Donated Property (39,124,327.00)
Tax Credit Available Balance \$60,875,673.00

3. Special Project Planning Account Informational

The Board has historically used a special project account to provide working funds for staff evaluation (appraisals, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred and recorded in the Special Project Planning Account are transferred to the Board approved project account which reduces the Special Project Planning Account expenditures. This procedure, therefore, acts as a revolving account for the pre-project expenses.

Some appropriations now made to the Board do not include a specific budgeted planning line item appropriation necessary to begin a project without prior Board

authorization. Pre-project costs are a necessary expenditure in most all capital outlay projects. The Special Project Planning Account would be used for these costs.

The Board, at the May 6, 1986 meeting, authorized the Executive Director to use up to onepercent of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an informational item at the next meeting. Accordingly, a planning account has been set up as follows:

- | | |
|--|-------------|
| General Fund | \$45,000.00 |
| Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund | \$5,000.00 |
4. Proposed Consent Calendar (Items 5 - 17)

*5. Approval of Minutes - February 27, 2002 Meeting

Approval of the minutes of the February 27, 2002 Wildlife Conservation Board meeting is recommended.

*6. Recovery of Funds

The following projects previously authorized by the Board are now completed, and some have balances of funds that can be recovered and returned to their respective funds. It is recommended that the following totals be recovered and that the projects be closed.

\$70,519.55 to the General Fund
\$1,333.11 to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund
\$73,550.71 to the Habitat Conservation Fund
\$0.00 to the Wildlife Restoration Fund
\$11,993.44 to the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund

GENERAL FUND

Bear Creek Redwoods Acquisition, Santa Clara County

Allocated	\$2,010,000.00
Expended	<u>-1,996,879.45</u>
Balance for Recovery	\$13,120.55

Kern River Planting Base Public Access (Restroom), Kern County

Allocated	\$120,135.00
Expended	<u>-105,251.00</u>
Balance for Recovery	\$14,884.00

Nimbus Hatchery Recreational Public Access, Sacramento County

Allocated	\$135.00
Expended	<u>-130.00</u>
Balance for Recovery	\$5.00

Northern California-North Coast Region Property Exchange, Shasta County

Allocated	\$2,500.00
Expended	<u>-0.00</u>
Balance for Recovery	\$2,500.00

Project Planning Funds, Statewide

Allocated	\$153,000.00
Expended	<u>-113,000.00</u>
Balance for Recovery	\$40,000.00

Wohler Bridge Public Access Improvements, Sonoma County

Allocated	\$17,270.00
Expended	<u>-17,260.00</u>
Balance for Recovery	\$10.00

Total General Fund **\$70,519.55**

SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR AND
COASTAL PROTECTION BOND FUND

Cosumnes River Wildlife Area, Expansion 8 & 9, Sacramento County

Allocated	\$472,000.00
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Expended	-470,666.89
Balance for Recovery	\$1,333.11

Total Safe Neighborhood Parks, Clean Water, Clean Air, and

Coastal Protection Bond Fund \$1,333.11

HABITAT CONSERVATION FUND

Chilcoot Wildlife Area, Exp. 1 & 2, Plumas County

Allocated	\$230,000.00
Expended	-223,408.59
Balance for Recovery	\$6,591.41

Daugherty Hills Wildlife Area, Exp. 7, Yuba County

Allocated	\$155,000.00
Expended	-100,000.00
Balance for Recovery	\$55,000.00

Daugherty Hills Wildlife Area, Exp. 8, Yuba County

Allocated	\$60,000.00
Expended	-55,790.00
Balance for Recovery	\$4,210.00

Riparian Habitat Restoration (So. Fork Willow Creek Tributary), Glenn County

Allocated	\$24,594.00
Expended	-16,844.70
Balance for Recovery	\$7,749.30

Total Habitat Conservation Fund \$73,550.71

WILDLIFE RESTORATION FUND

Belden's Landing Fishing Access, Solano County

Allocated	\$250,000.00
Expended	<u>-250,000.00</u>
Balance for Recovery	0.00

Belden's Landing Fishing Access, Phase II, Solano County

Allocated	\$250,000.00
Expended	<u>-250,000.00</u>
Balance for Recovery	0.00

Total Wildlife Restoration Fund Recoveries \$0.00

SAFE DRINKING WATER, CLEAN WATER, WATERSHED
PROTECTION AND FLOOD PROTECTION BOND FUND

Cosumnes River Wildlife Area, Expansion 10, Sacramento County

Allocated	\$1,060,000.00
Expended	<u>-1,048,006.56</u>
Balance for Recovery	\$11,993.44

Total Safe Drinking Water, Clean Water, Watershed
Protection and Flood Protection Bond Recoveries \$11,993.44

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- *7. San Bernardino Mountains Wildlife Corridor \$166,972.00
(Upper Deep Creek), San Bernardino County

This proposal is to consider the allocation of a grant to the San Bernardino Mountains Land Trust to assist in its acquisition of a one-third ownership interest in 126± acres of land for the protection of wildlife habitat near the town of Arrowhead in San Bernardino County.

The State Budget Act of 1999 provided \$2,000,000.00 to the Wildlife Conservation Board (Board) for the acquisition and preservation of wildlife habitat and corridor lands in the San Bernardino Mountains. At the May 18, 2001 Board meeting, the

Board approved the acquisition of 120± acres near Lake Arrowhead in the San Bernardino Mountains and allocated \$1,820,000.00 from the funds provided in the budget. The earlier Board action completed the purchase of the highest priority site identified by the Department of Fish and Game (DFG) for potential use of the funding. This acquisition will use the remainder of the funds allocated in the budget.

The subject parcel, known locally as the "Deep Creek" site, is also among the 4 properties that were recommended by the DFG and provides protection to the upper Deep Creek watershed. Deep Creek, which runs along the eastern edge of the property, is a premier trout fishing stream. The subject property is made up of mostly middle-age class Montane Hardwood Conifer habitat. The property, however, does contain a few old growth pines and a larger portion of the species mix is Black Oak. Abundant nest sites for the San Bernardino Mountain flying squirrel have been found on the property. California spotted owl nesting occurs nearby and the site is important for foraging and dispersal. Southern rubber boa habitat exists in the form of rock outcrops and water sources. The presence of river and mountain riparian habitat on the site provides good habitat value for other local Species of Special Concern as well. There are obstacles to emigration and immigration along portions of the Upper Deep Creek drainage in the form of highways and development. However, the natural corridor capability of the stream channel remains viable.

The approved, appraised value of the property is \$714,000.00. The owner has agreed to sell his interest (one-third) in the subject land for \$167,000.00. The grant from the Board, if approved, will provide \$166,972.00 toward the purchase price and the San Bernardino Mountains Land Trust will pay the remainder and will absorb the related costs of sale. Further discussions between the San Bernardino Mountains Land Trust and the owner of the remaining two-thirds interest are expected.

Staff recommends that the Board approve the grant to the San Bernardino Mountains Land Trust to be applied toward the acquisition as proposed; allocate \$166,792.00 for the grant from the General Fund, as specifically designated for acquisitions in the San Bernardino Mountains in the State Budget Act of 1999; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *8. Lokern Ecological Reserve, Expansion 20 \$18,000.00
(Kern County Valley Floor Habitat Conservation Plan), Kern County _____

This proposal is to consider the acquisition of 38± acres of privately-owned land,

located approximately 30 miles west of Bakersfield, near the town of Buttonwillow, for the protection of habitat for numerous rare natural communities and threatened and endangered species. This proposed purchase is a small part of a larger program involving a number of public and private entities to protect rare natural communities in the southern San Joaquin Valley.

The subject property is located within the Lokern Natural Area (LNA), a 40,000+ acre area targeted for protection through a cooperative effort by the City of Bakersfield, Kern County, The Nature Conservancy, U.S. Fish and Wildlife Service, California Energy Commission, Bureau of Land Management, Department of Fish and Game (DFG) and the Board. The LNA is bounded by the community of Buttonwillow to the east, the Temblor Mountains to the west, and extending in a narrow, irregular pattern approximately 20 miles in a north-south direction. It is crossed by several roadways, including Highway 33, Highway 58 and Lokern Road.

The primary purpose of this acquisition in the proposed 40,000-acre LNA is to protect rare natural communities and the threatened and endangered plant and animal species that are found in this area. In 1992, a report was completed by the San Joaquin Valley Biological Technical Committee (composed of various agency representatives) entitled "A Biological Framework for Natural Lands and Endangered Species in the Southern San Joaquin Valley", which described the value of preserving lands in this area. In developing this document, the participants proposed a strategy of core reserves of existing habitat with connecting corridors throughout the San Joaquin Valley, which would form a regional conservation program to ensure that sensitive natural communities and listed species would survive over time. The Lokern area was identified as one of the primary preserve areas for this purpose. This part of the valley has one of the highest concentrations of listed species in the continental United States. It is estimated that only 5 to 10 percent of the land base on the valley floor remains in the natural vegetative communities endemic to the area.

The Lokern area of western Kern County contains some of the highest quality natural habitats left in the entire valley. The primary sensitive species found in this area include the San Joaquin kit fox, giant kangaroo rat, Tipton kangaroo rat, San Joaquin antelope squirrel, blunt-nosed leopard lizard, Kern mallow, Hoover's woolly star and Alkali larkspur. These species are all known to exist in the LNA. This area is also of significant interest to local government, specifically the City of Bakersfield and Kern County, both of which were involved in the preparation of large regional habitat conservation plans. These plans include measures to provide offsite compensation for the loss of endangered species habitat to development. Both plans include the LNA as a primary preserve area in which 90 to 95 percent of the existing habitat would be protected in perpetuity.

Most of the lands in the Lokern area are still natural vegetation communities, having never been cultivated. Some areas have been farmed to row crops, some of which are now being allowed to revert to their natural condition. Portions of the area have been developed for oil and natural gas production purposes. Basically, however, the LNA is relatively undisturbed in character. Threats to the area include future development potential as well as overgrazing by sheep and haphazard use by off-road vehicles, all of which could adversely affect this fragile habitat.

The subject property consists of five disjunct parcels under one ownership and all are located in close proximity to the California Aqueduct. They are generally level and are within a designated flood zone. As is typical of many properties in the area, these properties have no legal access to a county-maintained road. It should be noted that each parcel, by itself, contains limited wildlife values. However, each one being considered for purchase has been identified by the DFG as being very important to the overall, long-term program of creating a viable reserve in this area.

The Department of General Services (DGS) has approved the fair market value of the subject property at \$15,800.00 and the landowner has agreed to sell to the state at this price. It is estimated that an additional \$2,200.00 will be needed for project costs, including title and DGS's administrative expenses, bringing the total allocation to \$18,000.00. The project is exempt from the California Environmental Quality Act under Section 15313, Class 13 of Categorical Exemptions as an acquisition of land for fish and wildlife conservation purposes. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Board approve acquisition of this property, as discussed; allocate \$18,000.00 from the Department of Water Resources Mitigation Fund, as specifically made available for this program, to cover acquisition costs and project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*9. Black Mountain Preserve, Expansion 1, Fresno County

This item has been withdrawn from consideration at this meeting.

*10. Madera Farmland Conservation Area, Phase II. \$10,000.00 and Tax Credit
Madera County

This proposal is to consider partial donations of seven agricultural conservation

easements, covering approximately 326± acres, to the American Farmland Trust (AFT) for inclusion under the Natural Heritage Preservation Tax Credit Act of 2000 (the Act) and to approve a total of \$619,226.00 in tax credits in favor of the donors of the conservation easements. The properties are located about 1.5 miles west of the western edge of the City of Madera, between Avenues 12 and 14½ and Roads 23½ and 25 in Madera County. The donations qualify for the tax credit program pursuant to Public Resources Code Section 37015 (c). Specifically, the donations of the conservation easements will protect agricultural land that is threatened by development.

The Board considered the first project from the Madera Farmland Security Perimeter program at its meeting held February 27, 2002. The partial donation of an agricultural conservation easement over 116± acres was approved and the landowner was granted tax credits in the amount of \$93,500.00.

For the past two years, the AFT has been working with local landowners in Madera County to halt westward urban expansion of the City of Madera. As a result of this effort, the AFT and local agricultural interests have developed a strategy for protecting prime farmland and implementing a local farmland conservation program. Specifically, the Madera Farmland Security Perimeter program will create an urban growth boundary of easement-protected farmland between the Madera Airport and Madera County Industrial Park.

The Madera Farmland Security Perimeter program is designed to protect 2,880 acres of productive farmland located in and adjacent to the western sphere of influence boundary of the City of Madera. Once established, the program will create a barrier prohibiting the continued westward growth of the City of Madera and will direct urban expansion to less productive soil to the north and east of the City.

A consensus has emerged between local government and members of the agricultural community that there should be limits on the continued westward expansion of the City of Madera. Recent discussions over the City of Madera's request to expand its sphere of influence to the southeast led to the County's recommendation that the west lines of the City's sphere of influence be drawn back one-half mile to Road 24.

At the request of the AFT and the landowners, the City and the County of Madera have unanimously supported the development of the farmland protection program. Further, city and county staff have been directed to initiate steps necessary to amend the General Plan and create California's first Agricultural Security Perimeter zoning overlay. This effort will establish policies to encourage conservation easements and discourage development in the perimeter zoned area. The AFT

and the City are now in the process of establishing policies and amending the master plan for infrastructure development to reflect changes for the future uses of this area, which was originally planned for urban development. Further, the Madera Farmland Security Perimeter program has received support from the Madera County Farm Bureau, the Madera Irrigation District and the Madera County Agricultural Commissioner.

The support of local landowners for agricultural conservation easements and establishing the Madera Farmland Security Perimeter program has provided a vehicle for defining a permanent urban growth boundary on the west side of the City of Madera. When fully implemented, agricultural easements within the perimeter area will protect an additional 42,000 acres of prime and important farmland to the west of Madera from future urban encroachment without the need to acquire additional easements. Through the implementation of the Farmland Security Perimeter program, it is anticipated that developers will choose to redirect their efforts to the northeast and southeast quadrants of the City, where agricultural soils are less productive and it will not be feasible to extend the infrastructure beyond the perimeter program area.

Approximately 272± acres of the 328± acres (83.1 percent) of the subject parcels are designated "prime" by the Natural Resources Conservation Service and the California Farmland Mapping and Monitoring Program (FMMP). The remaining 55± acres (16.9 percent) are Class III soils, not considered prime, and are designated as "Farmland of Statewide Importance" by the FMMP. The subject properties are planted to a variety of agricultural commodities, including open irrigated field cropland and irrigated pasture. Some have mature vineyards. All have irrigation water supplied by the Madera Irrigation District and most are supplemented by an on-site pump and well.

All properties have been appraised and the values have been approved by the Department of General Services (DGS).

The seven proposed projects are more specifically described as follows:

Property #1

The subject parcel is 32± acres and the easement has been appraised at \$584,000.00. The landowner agreed to a bargain sale of \$407,280.00. The remaining \$176,720.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$97,196.00.

Property #2

The subject parcel is 80± acres and the easement has been appraised at \$1,088,000.00. The landowner agreed to a bargain sale of \$842,510.00. The remaining \$245,490.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$135,020.00.

Property #3

The subject parcel is 40± acres and the easement has been appraised at \$635,000.00. The landowner agreed to a bargain sale of \$504,990.00. The remaining \$130,010.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$71,506.00.

Property #4

The subject parcel is 26± acres and the easement has been appraised at \$453,000.00. The landowner agreed to a bargain sale of \$329,950.00. The remaining \$123,050.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$67,678.00.

Property #5

The subject parcel is 34± acres and the easement has been appraised at \$484,000.00. The landowner agreed to a bargain sale of \$398,290.00. The remaining \$85,710.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$47,141.00.

Property #6

The subject parcel is 35± acres and the easement has been appraised at \$494,000.00. The landowner agreed to a bargain sale of \$260,670.00. The remaining \$233,330.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$128,332.00.

Property #7

The subject parcel is 80± acres and the easement has been appraised at \$859,000.00. The landowner agreed to a bargain sale of \$727,450.00. The remaining \$131,550.00 is considered a donation. Under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit in the amount of \$72,353.00.

Section 37012 (d) of the Act requires that before any donation can be considered by the Board, a public hearing must be held by the donee in the county in which the property is located. Pursuant to this requirement, the Board and the AFT held a public hearing on May 1, 2002. The meeting was attended by members of the community, staff from the AFT and the landowners who expressed a great deal of interest in the project and the tax credit program.

Staff recommends that the Board approve the donation for inclusion under the Natural Heritage Preservation Tax Credit Program and related tax credits; allocate \$10,000.00 from the General Fund to cover project costs, including the DGS's review charges; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*11. East Merced Vernal Pool Grassland Preserve, Expansion 5, \$3,005,000.00
Merced County

This proposal is to consider the allocation of a grant to The Nature Conservancy (TNC) to assist in a cooperative project to acquire 3,074± acres of private land as an expansion of the East Merced Vernal Pool Grassland Preserve for the protection of critical vernal pool grassland habitat. The property is located approximately 6 miles north of the City of Merced, southeast of the intersection of "G" Street and La Paloma Road. Access to the property is available from Paloma Road, which runs along the entire northern boundary of the property.

The subject property has a rolling topography, with numerous undulations and swells, making it a prime area for vernal pool occurrences. Other major features include a seasonal creek running along the northern portion of the property and a Merced Irrigation District canal transecting the property from south to north. Improvements on the property include perimeter and cross fencing, two windmills and stock ponds. The property is currently used as dry pastureland. Since May 18, 2001, the Board has authorized 5 separate grants for the purposes of acquiring conservation easements within the project area. The total acreage of the area protected to date is 17,124 ± acres. The current proposal will increase the project's area to approximately 20,189 acres in size.

Vernal pools rely on a cycle of annual inundation and subsequent drying. This cycle effectively excludes many upland plants and widespread wetlands plants. Thus, the flora of the vernal pools is highly specialized and consists predominately of native species. The absence of fish and non-native predators makes vernal pools ideal rearing habitat for amphibians such as the tiger salamander and spadefoot toad. Vernal pool crustaceans are uniquely adapted to the extremes of inundation and drying, where their eggs can remain viable in the dry soil for decades.

The subject area is considered critically important to a number of listed plants and animals and is considered a significant wintering habitat for water birds and raptors. Vernal pool inhabitants in the area include, but are not limited to, the Conservancy fairy shrimp (federally endangered), the vernal pool fairy shrimp (federally threatened), the midvalley fairy shrimp, the vernal pool tadpole shrimp (federally endangered), the California tiger salamander (federally endangered) and the western spadefoot toad (state threatened).

Water birds are also heavy users of these vernal pools and adjacent uplands, with users including Canada geese, Pacific white fronted geese, Ross's geese, northern pintail, shoveler, gadwall, American widgeon, ring necked duck, common goldeneye, buffle head, common merganser, ruddy duck, long billed curlew and others associated with this type of habitat. In short, the vernal pool grasslands of eastern Merced County represent one of the most biologically significant regions remaining within the Central Valley of California.

The East Merced Vernal Pool complex is contiguous to the Sierra Nevada foothills to the east. Wildlife corridors currently exist through the foothills and Sierran Canyons, connecting with the Stanislaus National Forest, Sierra National Forest and Yosemite National Park. Acquisition within the subject area will help establish habitat links and corridors from the San Joaquin Valley up to the high Sierras.

Threats to the vernal pool habitat vary greatly depending on the individual property's potential for conversion and by individual desires and goals of the property owner. The Merced region is experiencing tremendous growth and pressure for new residential, commercial and industrial development. This pressure is further compounded by the proposed new construction of the University of California, Merced campus, with the proposed campus site located within 2 miles of the subject property. In addition, agricultural lands are undergoing a rapid conversion from pastureland to more intensive uses, including orchards, vineyards and row crops. Any development that disturbs the top soil of the property will effectively destroy the vernal pool ecosystems and negate any habitat value in the property.

Unlike the owners of the previous expansions who have sold conservation easements, the current owners are only interested in selling fee title to their property. TNC's ultimate objective, once the property is purchased, is to sell or exchange the property, retaining a conservation easement over it, and using the proceeds or remaining values to acquire a conservation easement across another property within the subject area.

Management objectives for the property would allow for continued cattle ranching as the primary land use while implementing management strategies that promote healthy populations of special status species and ranching practices that encourage a viable ecosystem.

The appraised fair market value of the property, as approved by the Department of General Services (DGS) is \$3,000,000.00. TNC has an option to purchase the property for the fair market value and this is the amount of this grant proposal. An additional \$5,000.00 is estimated to be needed for administrative costs, including the DGS's review costs, bringing the total allocation necessary for this proposal to \$3,005,000.00.

The terms and conditions of the proposed grant provide staff review and approve all documents pertaining to the Grantee's acquisition, including appraisals, preliminary title reports, agreement for purchase and sale, escrow instructions and the instrument of conveyance prior to disbursement of funds.

Staff recommends that the Board approve the award of a grant to The Nature Conservancy for the fee acquisition as proposed; allocate \$3,005,000.00 for the grant amount and for project review costs from the General Fund, as specifically designated for the purchases related to the University of California, Merced campus project; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*12. Merced River Salmon Habitat Preservation Project \$276,775.00
(Augmentation), Robinson Cattle Company, Merced County

This proposal is to consider an augmentation of funding for the acquisition of a conservation easement and gravel rights over 310± acres of private land as a cooperative project with the Department of Water Resources (DWR) and the Department of Fish and Game (DFG) to provide salmon spawning gravel and protect seasonal and permanent wetlands and other related upland and riparian habitat, along the upper Merced River, located approximately 10 miles north of the City of Merced.

At the November 28, 2001 Board meeting, an allocation of \$355,000.00 was approved to acquire the subject conservation easement, including aggregate materials located within the easement needed for the preservation and restoration of salmon spawning areas within the river. The allocation included \$350,000.00 for acquisition costs and \$5,000.00 for project related costs. The \$350,000.00 amount was based on a valuation of \$105,000.00 for the "land portion" of the easement and \$245,000.00 for the aggregate materials being purchased. At the time of the initial valuation, the total tonnage of aggregate materials needed was estimated by the DWR to be 1,250,000 tons. The owner had agreed to sell 335,616 tons for \$245,000.00 and donate the remaining 914,384 tons estimated to be in place.

Subsequent to Board approval, it was determined by the DFG and the Board that the best strategy for future maintenance and protection of salmon spawning areas would be an agreement ensuring all aggregate materials located within the project area, present and future (deposits), were acquired, thus ensuring all aggregate material deposits would be available and in place for maintaining salmon spawning areas as the river meandered and changed course over time. In pursuing this new strategy, it was determined by the DWR the actual total tonnage of aggregate material within the project area that would need to be acquired is 1,615,000 tons, 365,000 more tons than the 1,250,000 tons originally proposed for acquisition. The value of the entire 1,615,000 tons, as approved by the Department of General Services (DGS), is \$678,799.00. Under the new proposal, the owner will transfer his rights to all existing and future aggregate materials, established to be 1,615,000 tons, by selling 1,000,000 tons based on an approved value of \$511,775.00, and donating the remaining 615,000 tons. Adding in the \$105,000.00 already approved for the "land portion" of the easement, the total acquisition cost is \$616,775.00.

Taking into consideration, and reducing the newly proposed project value by the amount allocated by the Board during its meeting of November 28, 2001, an additional \$266,775.00 is necessary to complete this project. Staff is recommending an additional \$10,000.00 for administrative costs, including additional DGS's review costs, for a total augmentation of \$276,775.00.

Staff recommends the Board approve this augmentation as proposed; authorize the purchase and acceptance of the additional aggregate materials as explained above; allocate \$276,775.00 from the Habitat Conservation Fund, Section 2786 (e/f) and the General Fund, to pay for the additional aggregate material and related administrative costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*13. Watsonville Slough Ecological Reserve, Expansion 4, \$3,000.00
Santa Cruz County

This proposal is to consider the acceptance of a donation of a conservation easement over 18 ± acres of land as an expansion of the Department of Fish and Game's (DFG) Watsonville Slough Ecological Reserve (Reserve), for protection of coastal wetlands. The subject property is located approximately 2 miles west of the City of Watsonville.

The subject property has 2 main geographic features, a low flat slough area containing wetland habitat, and sloping terrain on the eastern portion containing oak woodland and grassland habitats. There are no improvements on the property. Paved access is available from Harkins Slough Road running along its northern boundary. The property is owned by 2 private parties who operate and reside on a small 20.5 ± acre farm located east and adjacent to the subject property, which is also encumbered by an agriculture easement maintained by the County of Santa Cruz.

Adjacent and south of the subject property is 150 ± acres of DFG-owned property known as the Watsonville Slough Ecological Reserve, Expansions 2 and 3. These expansions were originally approved by the Board in 1982 as part of a zero monetary exchange and option agreement between the Anderson Peat/Organic Compost Corporation (APOC) and the state. The state recently obtained title to these properties in June 12, 2001, by exercising provisions within this agreement. The entire Reserve contains 272± acres and, if this project is approved, will bring the total area protected to 290± acres.

The Reserve consists primarily of freshwater, coastal wetland habitat areas, surrounded by gentle sloping hills containing oak woodland and grassland habitats. It functions as an important resting area for migratory waterfowl and a wintering area for a number of different raptor species. The area is identified as a Significant Natural Area by the DFG, containing rare and sensitive species, such as the red-legged frog, tricolored blackbird and the Santa Cruz tarplant.

The conservation easement is currently owned by the Open Space Alliance (Alliance), a local non-profit conservation group. The Alliance acquired the easement in April of 2000 with a grant of funds from the State Coastal Conservancy (SCC). The estimated value of the conservation easement at the time of the

purchase was \$50,000.00. The Alliance now wishes to donate its interest to the DFG, which is interested in obtaining the easement as a logical expansion of the Reserve. As a condition of the original SCC grant of funds, there are deed restrictions on the property that require it be preserved and maintained as wildlife habitat. The Board and DFG staff have reviewed the restrictions and determined they are acceptable and will have no material impact on the intended use and management by the DFG. In addition to the acceptance of this donation, staff is also requesting an allocation of \$3,000.00 to cover project expenses, including title company and escrow fees. This acquisition is exempt from the California Environmental Quality Act under Section 15313, Class 13 of Categorical Exemptions as an acquisition of land for fish and wildlife conservation purposes. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends the Board approve the acceptance of the donation as proposed; allocate \$3,000.00 from the Habitat Conservation Fund, Section 2786 (d) for project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*14. Suisun City Improvements (Peytonia Slough Ecological Reserve), Solano County \$133,670.00

This proposal is to consider a cooperative project with Suisun City (City) to improve public access at the Department of Fish and Game's (DFG) Peytonia Slough Ecological Reserve (Reserve) and the adjacent Suisun City Public Access area located on the northern edge of the Suisun Marsh. Planned improvements include replacing an existing 22-year-old restroom with a modern barrier-free facility and installing a fish cleaning station.

The Reserve was acquired by the state with funds allocated by the Board in 1976 to protect and restore wildlife habitat, as well as provide public recreational opportunities. This 295-acre parcel on the west side of Suisun Slough was later improved with a fishing float, restroom and fence using funds allocated by the Board in 1979 and 1981. The City has operated the restroom and float under a cooperative agreement with the state since the improvements were built. The Reserve lies adjacent to the Suisun City Public Access, a city-owned and operated public boat ramp providing boater access to the Suisun Slough and Suisun Marsh. The boat ramp was originally constructed using funds allocated by the Board in 1957 and 1958 and was later improved by the Department of Boating and Waterways in 1980.

The Suisun Marsh consists of approximately 30,000 acres of sloughs and other waterways and 55,000 acres of marsh land located in southern Solano County. It provides a wide array of sport fishing opportunities, including striped bass and catfish. People of all ages and abilities come to this area from all over the state to enjoy the myriad of outdoor sporting opportunities, including fishing, hunting and other activities, like bird-watching. In general, public access facilities are in short supply throughout the Suisun Marsh and it is, therefore, important to maintain existing facilities in good working condition.

The planned improvements include replacement of the existing 22-year-old public restroom, which is reaching the end of its usable life and is not in compliance with the Americans with Disabilities Act. In addition to the new barrier-free sanitary facilities, a fish cleaning station will be added to the site to provide added sanitation and convenience for the angling public.

Cost estimates for this proposal, which have been developed by the City and reviewed by staff, are as follows:

<u>Description</u>	<u>WCB</u>	<u>City</u>	<u>Total</u>
Demolish Existing Building		\$13,100.00	\$13,100.00
Site Work	\$5,000.00	1,500.00	6,500.00
Prefab. Restroom	91,000.00		91,000.00
Install Restroom		9,900.00	9,900.00
Fish Cleaning Station	10,000.00		10,000.00
Modifications for FCS	10,000.00		10,000.00
Landscaping		6,500.00	6,500.00
Project Management	5,800.00		5,800.00
Contingencies	11,600.00		11,600.00
<u>TOTAL ESTIMATED COSTS</u>	<u>\$133,400.00</u>	<u>\$31,000.00</u>	<u>\$164,400.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$133,400.00
City of Suisun City	\$31,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$164,400.00</u>

The DFG has reviewed this proposal and supports the proposed improvements. The City found the project to be Categorically Exempt from the California Environmental Quality Act, Section 15302 (c), as a replacement or reconstruction of an existing facility involving negligible or no expansion of capacity.

Staff recommends the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$133,670.00 from the Wildlife Restoration Fund for project costs, and Department of General Services' review costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*15. Pitkin Marsh Ecological Reserve, Sonoma County \$283,200.00

This proposal is to consider the acquisition of 6± acres of privately-owned land, for the protection of significant riparian habitat, including rare and endangered plant species. The property is located 5 miles northwest of Sebastopol, off Vine Hill Road and approximately one mile northeast of Highway 116 (Gravenstein Highway).

Pitkin Marsh is located approximately 3± miles southwest of Atascadero Marsh. Pitkin Creek, which flows from the subject property, links to Green Valley Creek and the Atascadero Marsh. The Department of Fish and Game (DFG) currently owns and manages property in Atascadero Marsh and plans to acquire more when opportunity allows. The subject property is also located 2± miles west of the Laguna de Santa Rosa wetlands.

Pitkin Marsh represents one of the most significant remaining wetlands and botanically diverse areas in California. It supports 22 rare plant species, including 2 state listed endangered species. The subject property is the most critical parcel within Pitkin Marsh, as it supports most of the rare plant species in the Marsh and could be used for the experimental reintroduction of critically endangered plant species such as the Pitkin Marsh indian paintbrush and Vine Hill clarkia. Pitkin Marsh lily and round-headed beaked-rush are also found on the property. The subject parcel supports a unique bog and, due to its headwater position, is important in maintaining the hydrology for the rest of Pitkin Marsh. This acquisition provides for the conservation of healthy local wildlife populations that are rapidly being lost to viticulture and development in the area. Upon purchase, the property will be managed by the Department of Fish and Game.

The property owner has agreed to sell the property at the Department of General Services' (DGS) approved fair market value of \$270,000.00. An additional \$13,200.00 will be needed for start-up costs, appraisal, escrow, title insurance and

DGS's review costs. The proposed acquisition is exempt from the California Environmental Quality Act under Section 15313, Class 13, as the acquisition of land for fish and wildlife conservation purposes. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Board approve this acquisition as proposed; allocate \$283,200.00 from the Habitat Conservation Fund, Section 2786 (d) for the purchase price and associated costs; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*16. Yolo Bypass Wildlife Area, Expansion 5, Yolo County \$207,000.00

This proposal is to consider the acquisition of 100± acres of private land as an addition to the Department of Fish and Game's (DFG) Yolo Bypass Wildlife Area. The wildlife area lies south of Interstate 80, east of County Road 104 and within and adjacent to the Yolo Bypass in Yolo County. The property may be accessed via Interstate Highway 80 to Chiles Road, then over the west levee of the bypass to and through the state's ownership.

The existing wildlife area provides the public with a managed public hunting program for waterfowl and upland game and offers educational programs through the Yolo Basin Foundation. Additionally, the DFG provides programs for fishing, wildlife viewing and other nature-oriented activities. Expansion of the wildlife area will allow for the preservation of historic wetlands, wintering habitat for waterfowl, shorebirds, threatened and endangered species and other wetland associated species.

The wildlife area is a result of a 12-year-long cooperative effort to preserve wetlands and associated habitats of the Yolo Basin, involving several local, state and federal agencies and other private sector entities. The Board approved the wildlife area's original acquisition of 3,150± acres at its February 12, 1991 meeting. Expansion 1, consisting of 390 acres, was approved at its February 10, 1994 meeting, Expansion 2, consisting of 180± acres of wetland area and 15± acres for a headquarters site, at its August 11, 1994 meeting, and Expansions 3 and 4, consisting of 12,805 acres, at its August 30, 2001 meeting. Presently, the wildlife area plus the headquarters site total approximately 16,540± acres. Upon purchase, the property will come under the management of the DFG. The land will continue to be used for agricultural purposes until an ongoing planning process for the Yolo

Bypass Wildlife Area is completed. The plan, with appropriate CEQA analysis, will determine the future use of the property.

Flood control will continue to be the primary purpose of all property owned and managed by the DFG within the Yolo Bypass. The DFG is signatory to an agreement with the California Department of Water Resources, the State Reclamation Board and the United States Fish and Wildlife Service regarding the management and maintenance of the wildlife area as a part of the Sacramento River Flood Control Project. If necessary, this agreement will be amended to ensure that future management of this proposed addition to the wildlife area will not compromise flood control purposes.

The CALFED Bay-Delta Program recognizes in its Final Programmatic Environmental Impact Study/Report and Record of Decision the benefits of protected and restored habitats in the Yolo Bypass. While this proposal to expand the existing wildlife area will not be funded through the CALFED Program, the management strategy will be developed in cooperation with the CALFED Ecosystem Restoration Program. (Note that the CALFED Ecosystem Restoration Program provided a grant to the Yolo Basin Foundation to develop a locally based management strategy for the entire Yolo Bypass.)

The owner has agreed to sell the subject property at the approved appraised value of \$200,000.00. In addition, an estimated \$7,000.00 will be needed for escrow and title fees, Department of General Services' fees, startup costs and other related real estate costs.

These acquisitions are exempt from the California Environmental Quality Act (CEQA) under Section 15313, Class 13 of Categorical Exemptions as an acquisition of land for fish and wildlife conservation. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse. Any future management strategy that proposes changes in current land use may be subject to additional documentation under CEQA. In this case, the additional CEQA documentation may tier from the CALFED Final Programmatic EIS/R.

Staff recommends that the Board approve the acquisition as proposed; allocate \$207,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350(a)(1)(A), from the General Fund and from the Habitat Conservation Fund, Section 2786 (d); authorize staff to enter into the agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *17. Lake Earl Wildlife Area, Expansion 23, Del Norte County \$154,000.00

This proposal is to consider the acquisition 24.13± acres of privately owned, unimproved land as an expansion of the Department of Fish and Game's (DFG) Lake Earl Wildlife Area. The acquisition will allow for the further protection of Lake Earl and its associated coastal dune, wetland, upland and forest habitats, the continued development of the wildlife area and the protection and enhancement of threatened and endangered species habitat. The subject property is located north of Crescent City, west of Lake Earl Drive and adjacent to the wildlife area's eastern boundary line. The property can be accessed via Lake Earl Drive.

The wildlife area was acquired as a result of the Keene Nedgedly Act of 1975, which directed the DFG and the California Department of Parks and Recreation (DPR) to jointly evaluate and acquire certain specified coastal lands for the purpose of protecting, enhancing and managing wetlands. Together, the two agencies have acquired over 11,000 acres in the Crescent City area, extending from near Point Saint George north to the Smith River. Of the total, approximately 5,655 acres have been purchased by the Board and are managed by the DFG. This includes all of Lakes Earl and Talawa (under lease from the California State Lands Commission). These lakes are actually coastal lagoons that periodically breach the barrier island, thereby allowing the interchange of fresh and saltwater. This natural breaching has been replaced in recent times by artificial breaching as a means of lowering water elevations and increasing lands available for livestock grazing and urban development.

Lake Earl is a shallow estuarine lagoon which supports a variety of wetland plant communities, including submerged aquatics in deeper, relatively freshwater areas of the estuary. Freshwater aquatic plants are used extensively by migrating waterfowl. These wetland communities provide habitat for a large number of water associated species. Sitka spruce grow to the edge of the lake shore and are used by both peregrine falcon and bald eagle. The nonnative perennial grasses are managed on the wildlife area as foraging habitat for the Aluetian Canada goose. Over 95 percent of the Aluetian Canada goose population stages in the agricultural fields on or adjacent to the wildlife area. Over 240 species of birds have been recorded in the area since 1982. Historically, the Lake Earl complex has provided important northern California wintering, stopover and nesting area for migratory shorebirds and waterfowl. There are 3 federally or state listed endangered birds sighted in the wildlife area, including bald eagle, Peregrine falcon and the California brown pelican.

The acquisition of the subject property would assist in securing these unique resources, which lie adjacent to or between existing state lands and urban residential development. Placement of this property in public ownership would facilitate lake level management and habitat protection and restoration and would add significant buffer for the wildlife area. The DFG identified the subject property

as being within a Significant Natural Area (Lake Earl) and has recommended the purchase of this parcel, which would be incorporated into and managed as part of the existing wildlife area.

The grantors have agreed to sell at the Department of General Services' approved fair market value of \$140,000.00. An additional \$14,000.00 is needed for appraisal, escrow and title fees, the DGS's review costs and initial startup costs, including fencing for site security.

There are no claims of sovereign state land ownership within the subject property. The proposed acquisition is exempt from the California Environmental Quality Act under Section 15313, Class 13 of Categorical Exemptions as an acquisition of land for fish and wildlife conservation purposes. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Board approve the project as proposed; allocate \$154,000.00 from the Habitat Conservation Fund, Section 2786 (d) for the purchase of the land and to pay project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

18. San Timoteo Canyon, Riverside County \$2,000.00 and Tax Credit

This proposal is to consider the approval of a donation of a total of 438± acres to the Riverside Land Conservancy (RLC) for inclusion into the Natural Heritage Preservation Tax Credit Act program (the Act) and to approve a total of \$1,081,158.00 in tax credit in favor of the landowners donating the properties. The properties are located west of the City of Beaumont and southeast of Redlands in the San Timoteo Canyon area of north-central Riverside County.

The donations qualify for the tax credit program pursuant to Public Resources Code Section 37015 (b) and (e). The donations will preserve critical habitat used as a primary migration corridor for many animal species, protect the watershed and surrounding hills and canyons that provide habitat for rare, endangered, and threatened species as well as species of special concern. The subject properties also contain many historic and archeologically significant resources and will allow expanded access to existing trails.

The U.S. Fish and Wildlife Service has designated the canyon as critical habitat for the threatened California gnatcatcher and has proposed that the canyon be classified as critical habitat for the endangered San Bernardino kangaroo rat. Several biological reports have identified likely species in the canyonlands and badlands. Of these species, 9 have federal or state threatened or endangered

status: Munz's onion, Nevin's barberry, San Bernardino kangaroo rat, Stephens' kangaroo rat, California coastal gnatcatcher, least Bell's vireo, Swainson's hawk, western yellow-billed cuckoo and willow flycatcher. There are also many federal and state species of special concern that are likely to inhabit the area. These include the northwestern San Diego pocket mouse, San Diego black-tailed jack rabbit, Bell's sage sparrow, California horned lark, California yellow warbler, Cooper's hawk, golden eagle, loggerhead shrike, northern harrier, sharp-shinned hawk, Southern California rufous crowned sparrow, white-tailed kite, coastal western whiptail and red diamond rattlesnake.

The properties include wildlife movement corridors to allow for linkage to other areas under public ownership. After studying several possibilities, 2 connections are being considered. One corridor would connect the canyon with existing open space east of Interstate 10 and the other would extend the existing southeastern Norton Younglove Reserve holding along the San Timoteo Creek with the Little San Gorgonio and Noble Creek drainages on the eastern side of Interstate 10. The canyonlands and badlands connect significant protected areas in addition to the Norton Younglove Reserve: Lake Perris State Recreation Area, San Jacinto Wildlife Area, Mount San Jacinto State Park, San Bernardino National Forest, the Bureau of Land Management's Potrero holdings, Box Springs Mountain Reserve and the Santa Ana River National Recreation Trail. The southern boundary of the proposed San Timoteo Canyonlands and Badlands Preserve is contiguous with the recently approved San Jacinto Wildlife Area expansion Conceptual Area Protection Plan.

As for historic values of the properties, the canyon and San Gorgonio Pass formed the boundary between the Serrano Indians to the north and the Chuilla Indians to the south. The Wozencraft treaty of 1852 granted San Timoteo Canyon and additional lands to the Cahuilla Chief Juan Antonio and his people. Two Cahuillan villages developed in the canyon and the upper canyon were used extensively for collecting and hunting. Chief Antonio died in the smallpox epidemic of 1862 and is buried with others about 300 yards behind San Timoteo Canyon Schoolhouse. The Native-American community has long tried to memorialize this site. One of the subject properties wraps around the school house and includes the grave of Chief Antonio. The San Timoteo Canyon Schoolhouse was built in 1894, classes were held until 1936 and Sunday school continued until 1987. It still remains today and is the oldest schoolhouse in Riverside County. Historic landscapes such as the Frink Ranch and remnants of the Bradshaw Road are also located on one of the subject properties.

The two proposed donations are described more fully as follows:

Parcel 1

The subject property is 158± acres and has an appraised, approved fair market value of \$916,755.00. The landowner is donating the entire parcel and under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit of \$504,215.00.

Parcel 2

The subject property is 280± acres and has an appraised, approved fair market value of \$1,048,988.00. The landowner is donating the entire parcel and under the Act, a landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit of \$576,943.00.

The Department of Parks and Recreation (DPR) was the original donee in this transaction. However, the RLC agreed to be designated by the DPR as the donee. Once the RLC accepts the donation, it would convey the properties to the DPR for inclusion in a new state park unit. Section 37012 (d) of the Act requires that before any donation can be considered by the Board, a public hearing must be held by the donee in the county in which the property is located. Prior to designating the RLC as the donee, the DPR held a public hearing on Thursday, October 18, 2001 in Calimesa. Approximately 100 people attended the hearing and comments were generally positive regarding the proposed donations.

Staff recommends the Board approve the donation for inclusion into the Natural Heritage Preservation Tax Credit Program and related tax credits; allocate \$2,000.00 from the General Fund to cover project costs, including Department of General Services' review charges; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

19. Duarte Hills, Los Angeles County

This item has been withdrawn from consideration at this meeting.

20. Moorpark Hills, Ventura County \$2,000 and Tax Credit

This proposal is to consider the donation of 200± acres to the Mountains Recreation and Conservation Authority (MRCA) for inclusion into the Natural Heritage Preservation Tax Credit Act program (the Act) and to approve a tax credit of \$3,327,500.00 in favor of West Point Homes, Inc., the donor of the land. The subject property is located within the northern part of the City of Moorpark, on the

west side of Walnut Canyon Road, one mile north of New Los Angeles Avenue.

The donation qualifies for the tax credit program pursuant to Public Resources Code Section 37015 (e). Specifically, the donation will protect significant open space and facilitate a trail connection to the Happy Camp Canyon Regional Park, located east of the subject property.

The property is adjacent to the western boundary of the Rim of the Valley Trail Corridor, west of Happy Camp Canyon Regional Park. Creating a trail connection on the subject parcel from Moorpark to the Happy Camp Canyon Regional Park will help meet the goals of the Rim of the Valley Trail Corridor Master Plan. Also, protecting a scenic ridge line and approximately 200 acres of open space coincides with the City of Moorpark's General Plan policies.

The property supports coastal sage scrub and native and non-native grasslands. Mule deer have been observed onsite, and the site may be used by other wildlife such as coyote and raptors. The site is also in the close proximity to another large patch of coastal sage scrub, which supports two known nesting pairs of the federally threatened coastal California gnatcatcher. Golden eagle and white-shouldered kite have also been observed in the Happy Camp Canyon area and the donated parcel may provide foraging range for those species as well.

Proposed uses for the site include passive recreation such as hiking, bicycling and horseback riding. Many members of the community take part in and support equestrian activities. Acquisition of the property would help create equestrian trails to Happy Camp Canyon Park and the property to the north.

The subject parcel is 200± acres and has been appraised for \$6,050,000.00, an amount approved by the Department of General Services (DGS). The landowner is donating the entire parcel and, under the Act, the landowner qualifies for a tax credit equal to 55 percent of the fair market value of the donation. In this case, the landowner would receive a tax credit of \$3,327,500.00.

Section 37012 (d) of the Act requires that before any donation can be considered by the Board, a public hearing must be held by the donee in the county in which the property is located. On December 18, 2001, the MRCA held a public hearing that was attended by members of the community, the landowner's representative and city officials. Comments regarding the donation were positive and the MRCA approved the submission of the application to the Board for further consideration.

Staff recommends the Board approve the donation for inclusion into the Natural Heritage Preservation Tax Credit program and related tax credits; allocate

\$2,000.00 from the General Fund to cover projects costs, including the DGS's review charges; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

21. Monarch Point, Santa Barbara County

This item has been withdrawn from consideration at this meeting.

22. Joshua Creek Canyon Ecological Reserve, Exp. 1 \$5,030,000.00
(Palo Corona Ranch), Monterey County

This proposal is to consider the allocation of a \$5,000,000.00 grant to the Big Sur Land Trust (BSLT) to assist in the acquisition of the 7,128.6± acre southern portion of a larger 9,900± acre real property located southeast of the town of Carmel in Monterey County, and the authorization to accept all or a portion of the property to be covered by the grant, having a value of at least \$5,000,000.00, as an expansion of the Department of Fish and Game's (DFG) Joshua Creek Canyon Ecological Reserve. A cooperative project, the acquisition and management of the property will involve the efforts of several public and private partners including, but not limited to, the landowner, the BSLT, The Nature Conservancy (TNC), the DFG and the Board to preserve one of the last large parcels of undeveloped land on the Big Sur coast.

The subject property, referred to as the Palo Corona Ranch (Ranch), spans about 10 miles from the Carmel River to the Los Padres National Forest, connecting 13 other properties that have been purchased for their significant biological, recreational and scenic values. One of the 13 properties is the DFG's 680± acre Joshua Creek Canyon Ecological Reserve which abuts the southern portion of the property. At 9,400± acres, these surrounding 13 ownerships come close to matching the size of the subject. The Ventana Wilderness Unit of the Los Padres National Forest joins the southern boundary of the Ranch and is managed by the U. S. Forest Service. Other public neighbors include Point Lobos State Reserve and Garrapata State Park. Private conservation properties include BSLT's Middendorf Preserve, Glen Deven Ranch and Point Lobos Ranch. With the acquisition of the Ranch, the Board would be assisting in securing protection to an almost 70-mile-long corridor of connected conservation lands.

The topography of the Ranch rises from nearly sea level to just over 3,000 feet on Palo Corona peak. The highest elevations on the ranch exceed 3,400 feet, just south of White Rock Ridge. Use of the property for grazing has been terminated and a portion of the Ranch is currently supervised by the BSLT as a conservation area. Boundary and internal fencing remain on the property, as well as an old

abandoned ranch house, the Palo Corona cabin and a historic barn.

The ranch, in its entirety, encompasses nearly 10,000 acres of varied habitats ranging from coastal terrace prairie and maritime chaparral to redwood lined drainages. Together with a substantial native grassland component, coastal oak woodland and Monterey pine forest, the habitat is suitable for nearly 500 plants. Areas of expansive buckwheat habitat likely support the federally endangered Smith's blue butterfly. The Ranch spans the headwaters of 14 watersheds that drain the property through 16 different streams supplying habitat for steelhead trout, red-legged frog and tiger salamander. Wildlife that occurs on the property includes mountain lion, deer, bobcat, condor and golden eagle. Black bear, spotted owl and peregrine falcon have been spotted on nearby properties and likely pass across the ranch property as well.

The primary purpose of this acquisition is to connect the 13 existing public lands and private conservation properties to provide for large scale conservation. There are few, if any, large parcels of land along the Big Sur coast that allow for such a large amount of connectivity. With the exception of the existing BSLT conservation easement on part of the Ranch, the landowner is interested in selling fee title to the remainder.

The DFG proposes to cooperate with the BSLT and other agencies to achieve management objectives on a broad scale by providing technical advice. At such time as the BSLT conveys all or a portion of the "grant" property to the state, the DFG proposes to manage the site as an expansion to its Joshua Creek Canyon Ecological Reserve. While the primary goal would be to manage the diverse fish, wildlife and plant resources on the property, the expansion would also greatly improve access to the reserve. Increased public access would provide opportunities for interpretive activities and incorporation of volunteers into restoration efforts.

The BSLT desires to acquire all or part of the 7,128.6± acre southern portion of the ranch (the "South Ranch") and, toward that end, the BSLT has acquired the remaining approximately 11.3 percent undivided interest in the South Ranch. To assist such acquisition by the BSLT, TNC has acquired an approximately 88.7 percent undivided interest in the South Ranch. The South Ranch has an approved appraised fair market value of \$14,615,000.00. The Board's proposed grant, if approved, would then assist the BSLT by contributing \$5,000,000.00 to allow BSLT to purchase an increased undivided interest from TNC in the South Ranch. The Grant Agreement provides that on or before May 23, 2004, the BSLT will convey to the DFG all or a portion of the property covered by the grant, having

a value of at least \$5,000,000.00. It is estimated that \$30,000.00 will be needed for expenses to administer the grant and conveyance of the property to the state, including appraisal costs, title and escrow fees and the Department of General Services' review costs, bringing the total allocation for this proposal to \$5,030,000.00.

The terms and conditions of the proposed grant also provide that staff will review all title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into an escrow.

Staff recommends that the Board approve the proposed \$5,000,000.00 grant to the BSLT to be applied to the acquisition of a 7,128.6± acre southern portion of the Palo Corona Ranch and authorize the acceptance of all or a portion of the property covered by the grant having a value of at least \$5,000,000.00, as proposed; allocate \$5,030,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

23. Wetland Habitat Restoration, Moss Landing Wildlife Area, \$655,000.00
Monterey County

This proposal is to consider the allocation of a grant to Ducks Unlimited, Inc., (DU) for a wetland restoration project on the Department of Fish and Game's (DFG) Moss Landing Wildlife Area. The area is located in Moss Landing, just easterly of State Highway 1 on Elkhorn Slough. The partners in this proposal include the DFG, DU, the National Fish and Wildlife Foundation and the Board.

The Board has a long history at this site, beginning in 1984 with an initial purchase of 554 acres. Over the next 10 years, 4 additional purchases resulted in the protection of more than 728 acres. The site was a unique mixture of tidal marsh, salt evaporation ponds, seasonally flooded pasture and uplands and provided habitat for a wide range of wildlife and fish. At the time of the initial acquisition, the exterior levee ruptured, opening up the interior of the salt ponds to tidal action, thereby reducing habitat diversity. In 1986, the Board funded a survey of the site to assist the DFG in developing a site improvement plan. The DFG subsequently initiated repairs on the breach and exterior levee, and in 1989 and 1991 the Board assisted in restoring the damaged interior habitat, returning the site to its previous diversity.

Currently, the site contains approximately 153 acres of retired salt ponds. These

ponds have enormous potential for providing foraging and roosting habitat for many species of shorebirds and waterfowl. Perhaps more importantly, they provide critical nesting habitat for the snowy plover, a shorebird that is listed by the U.S. Fish and Wildlife Service as threatened. The ponds are connected serially, with one pond draining into the next, which works well for creating salt, but poses difficulties in managing water for wildlife habitat. To manage for wildlife, water levels need to be maintained at precise levels to provide forage habitat for nesting plovers without inundating their nests. Additional habitat management problems exist on the wildlife area. Poor circulation of the water in the current system results in poor water quality as the water moves further from the inlet structure. Lack of water in the higher areas has allowed the invasion of pickleweed into the pond bottoms, which attracts predators to the nests. In addition, many of the existing structures are located on the eastern sides of the ponds where wave action is the strongest, which creates severe sedimentation problems that render the structures inoperable. Finally, erosion on Elkhorn Slough is threatening one of the ponds and another levee break is possible.

These problems will be solved through a complex series of restoration activities. Water elevation gauges will be installed in Elkhorn Slough and Bennett Slough to determine daily and seasonal water levels, information that is needed to install the new water control structures and levees at the appropriate elevations. Pond levees will be realigned to allow each pond to be filled and drained independently. Pond bottoms will be graded precisely to allow ponds to hold a small amount of summer water for forage habitat without inundating the slightly higher nesting areas. Erosion pockets on Elkhorn Slough will be repaired and reinforced. All this will be designed to allow DFG staff to maintain this valuable habitat with a minimum of staff time.

Even under the current conditions, the old salt ponds provide tremendous benefits for shorebirds and waterfowl. The existing ponds have the highest hatching success and fledgling success for snowy plovers in the entire Monterey Bay region, producing more than half of all known young in 1999. Other shorebirds, notably black-necked stilts and American avocets, nest on the levees and raise their young in the ponds. In addition, the endangered California brown pelican roost on site, often in large numbers. The planned improvements will enhance and improve conditions for a variety of species.

Cost estimates for this project, which have been reviewed and approved by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization	\$ 43,372.00
Site preparation and earthmoving	149,075.00

Water control structures	214,640.00
Bank protection	70,000.00
Water level recorders	5,000.00
Project sign	2,000.00
Permitting	55,000.00
Project design and development	49,544.00
Project construction management	100,270.00
Contingency	85,568.00
<u>TOTAL ESTIMATED COST</u>	<u>\$774,469.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$ 655,000.00
National Fish and Wildlife Federation	100,000.00
Ducks Unlimited, Inc.	19,469.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$774,469.00</u>

The DFG has reviewed this proposal and recommends it for funding by the Board. The grantee will complete the appropriate notice to satisfy the California Environmental Quality Act requirements and obtain all necessary permits. Staff has applied for a reimbursement grant from the National Coastal Wetlands Conservation Grant Program and, if approved, will provide the Board with a reimbursement of up to \$200,000.00.

Staff recommends that the Board approve this project as proposed; allocate \$655,000.00 from the General Fund; authorize the receipt of federal reimbursements from the National Coastal Wetlands Conservation Grant Program; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

24. Bixby Ranch, Expansion 1, Monterey County \$2,005,000.00

This proposal is to consider the allocation of a grant to the United States Forest Service (USFS) to assist in its acquisition of 170± acres of land from The Trust for Public Land (TPL) as an expansion of the Bixby Ocean Ranch to protect 11 continuous miles of California's coastline and to protect sensitive habitat for threatened and endangered species. The subject property is located approximately 13 miles south of Carmel, immediately south of the historic Bixby Bridge. Highway 1 runs through the property from north to south.

Acquisition of this parcel is part of a larger effort between the TPL and the USFS to acquire and protect the entire 1,226± acre property. The TPL has acquired Bixby Ocean Ranch in phases over the past year and, once the USFS secures funding

to cover its acquisition costs, the TPL will convey title to the entire property to the USFS for inclusion into the Los Padres National Forest. The USFS will then manage the land and maintain it as wildlife habitat, scenic open space and recreation land.

The elevation on Bixby Ocean Ranch runs from the beaches at sea level to the peak of Sierra Hill at 1,539 feet. Twenty-six springs and 2 creeks, the Sierra and Bixby Creeks, supply water to support the unique old-growth Redwood groves and the rare and extensive assortment of pasture grasses and a scattering of native perennial and coastal prairie grasses. Black-tail deer of Big Sur feed off these grasslands. In addition, the grasslands provide habitat for threatened species such as the burrowing owls and a hunting ground for the pair of golden eagles found on the property. The property's rocky shoreline functions as a natural habitat for multitudes of shellfish and marine life. Just offshore, the thick kelp beds provide the resource for the California Sea Otter State Game Refuge that covers the entire Bixby Ranch coast. The acquisition of the Bixby Ocean Ranch for scenic viewshed protection and public access is consistent with several state and local plans for the Big Sur area, including the State Coastal Conservancy's Coastal Access Program and the Monterey County Local Coastal Program.

The Trust for Public Land has allowed limited public access to the property; however, once the transfer of ownership to the USFS is complete, the USFS will develop a plan for public access that complies with the Los Padres National Forest's Land and Resource Management Plan.

The subject parcel has an appraised fair market value of \$5.32 million, an amount approved by the Department of General Services (DGS). The TPL, however, is selling the property to the USFS for \$4 million. If approved, the Board's grant for \$2 million will be matched with \$2 million in private funding, raised by the TPL for the benefit of the USFS. Staff estimates that an additional \$5,000.00 will be needed to cover project expense related to the state's grant, including DGS' review fees.

Staff recommends the Board approve the award of a grant to the United States Forest Service to assist in its acquisition of 170± acres of land from the TPL, as proposed, allocate a total of \$2,005,000.00 for the grant and related expenses from the General Fund - Land Conservation Matching Grants Program, authorize staff to enter into appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

25. Big Break Fishing Pier, Contra Costa County \$500,270.00

This is a proposal to consider a cooperative project with the East Bay Regional Park District (EBRPD) to improve public access at the EBRPD's Big Break Regional Shoreline located in the lower Sacramento-San Joaquin Delta immediately adjacent to the City of Oakley and just east of the Antioch Bridge. Planned improvements include a fishing pier, a barrier-free restroom, a parking lot, an access road and trails.

Most of the 1,650 acre Big Break Regional Shoreline was acquired by the EBRPD in 2 acquisitions in 1995 and 2000 in order to protect and restore wildlife habitat and provide public recreational and educational opportunities for the public. A 40-acre parcel acquired in 2000 is the proposed site for the upland portions of the subject project, which includes the parking lot, restroom, access road and trails. Most of the site is undeveloped supporting both native and non-native vegetation and wildlife. Existing developments on the site include a partially paved access road, a small compound of buildings occupied by a resident caretaker and a water tower. The parcel lies adjacent to a residential development and a construction company. In addition to the uplands, the Big Break Regional Shoreline consists of a large estuary at the edge of the San Joaquin River, which was formed when a levee broke in 1928. Public access to the Sacramento and San Joaquin Rivers has been historically restricted by development. Shoreline access is limited mostly to privately-owned marinas and restaurant facilities. Public fishing and regional trail access in the area is only available at the Antioch pier and at Big Break. The pier would provide fishing, outdoor viewing and educational opportunities for the public.

The 1,680 square mile Sacramento-San Joaquin Delta offers a wide array of sporting opportunities, including fishing, waterfowl hunting and bird watching. The most popular and productive fisheries include salmon, sturgeon, bass and catfish. People of all ages and abilities come to the area from all over the state to bank fish, boat fish, participate in fishing tournaments and otherwise enjoy the myriad of outdoor sporting opportunities. The California Department of Parks and Recreation (DPR), in its Sacramento-San Joaquin Delta Recreation Survey, recorded 21 million activity days for anglers throughout the Delta in 1996. This high level of use occurs in spite of a need, identified in the DPR's survey, for more public access facilities in the Delta, particularly fishing piers and public restrooms.

The proposal will address that need by constructing a 97-foot-long, barrier-free fishing pier, an access road and trails, a vault-type restroom and a gravel parking lot. The project will also include buffer landscaping between the access road and the neighboring housing development. The EBRPD has agreed to operate and maintain the project for 25 years, and will provide a free lease to the state for the

duration of the operating agreement. The EBRPD has secured Measure AA funds and a grant from the DPR to complement the Board's grant.

Cost estimates for this proposal, which have been developed by the County and reviewed by staff, are as follows:

<u>Description</u>	<u>WCB</u>	<u>EBRPD</u>	<u>Total</u>
Clearing and Grubbing/Demolition	\$13,533.00	\$ 6,767.00	\$20,300.00
Secure Site Hazards	8,333.00	16,667.00	25,000.00
Survey Layout	20,665.00	10,335.00	31,000.00
Earthwork	79,667.00	39,833.00	119,500.00
Road, Trail and Parking Lot Paving	41,583.00	20,792.00	62,375.00
Storm Drain System		45,000.00	45,000.00
Water and Irrigation		27,920.00	27,920.00
Buffer Landscaping		38,000.00	38,000.00
Entry Improvements		16,634.00	16,634.00
Restroom Facilities		27,000.00	27,000.00
Site Furniture		25,200.00	25,200.00
Fishing Pier	300,000.00		300,000.00
Consultant Fees		86,000.00	86,000.00
Design, Engineering and Construction Management		147,586.00	147,586.00
Permits		25,000.00	25,000.00
Contingencies	36,219.00	74,470.00	110,689.00
<u>TOTAL ESTIMATED COSTS</u>	<u>\$500,000.00</u>	<u>\$607,204.00</u>	<u>\$1,107,204.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$500,000.00
East Bay Regional Park District	
\$607,204.00	
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,107,204.00</u>

The Board's 1999-00 Budget Act provided \$500,000.00 in General Fund monies specifically appropriated for the subject Big Break pier project.

The Department of Fish and Game (DFG) has reviewed this proposal and supports the proposed improvements. The EBRPD's Board of Directors approved a mitigated Negative Declaration on October 16, 2001, which states that no significant environmental impacts are anticipated to be associated with this project due to the incorporation of mitigation measures that will avoid and minimize impact.

Staff recommends the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$500,270.00 from the General Fund for project costs, and General Services' review costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

26. Wetland Habitat Restoration, Suisun Marsh, Solano County \$445,000.00

This proposal is to consider the allocation of a grant to the California Waterfowl Association (CWA) for a cooperative project to replace water control structures on privately-owned wetlands in the Suisun Marsh. The Marsh is 116,000 contiguous acres of seasonal wetlands, uplands, bays, sloughs and tidal brackish marsh located generally south of Suisun City and north of the Sacramento River in southern Sonoma County. The partners in this proposal include the Suisun Resource Conservation District (SRCD), CWA, the landowners, the Department of Fish and Game (DFG) and the Board. More than 15,000 acres of the Marsh is owned and managed by the DFG, most of the rest being privately-owned uplands and managed wetlands or publicly-owned bays and slough channels.

The Marsh is a jewel of still-natural habitat in the generally degraded condition of California's once magnificent landscapes. The total 116,000 acres includes 52,000 acres of managed wetlands, 6,000 acres of unmanaged wetlands, 30,000 acres of bays and sloughs, and 28,000 acres of uplands all protected under the Suisun Marsh Preservation Act of 1977, which ensures that those habitat uses will be perpetuated. Comprising nearly 12 percent of California's remaining natural wetlands, the Marsh provides critical habitat for more than 200 species of birds, 43 species of mammals and at least 7 state or federal listed species. In addition, the Marsh is home to a free ranging herd of tule elk and provides for a wide variety of recreational activities, including some of the best hunting and fishing in the state.

The Marsh is known for its numbers of wintering waterfowl, including tule geese, mallards, pintails and shovelers. These populations return each year because of the work of public and private landowners in the Marsh, people who maintain those wetlands through intensive water management and habitat manipulations. This work requires the smooth operation of hundreds of water control structures: large inlet pipes and structures to bring water in from the sloughs, smaller structures throughout the wetlands to control water in the individual wetland cells and major drains to take the excess water off the islands. Due to the harsh conditions of the brackish water in the Marsh, these structures typically last less than 10 years. Most landowners replace several small structures per year, but many do not have the resources to replace the main inlets and drains that are needed to maintain these valuable wetlands. If these inlets and drains are not replaced, entire islands are at risk and the Marsh, as a whole, could lose the remarkable diversity that makes the

area so biologically important.

The CWA and the SRCD propose to work with individual landowners throughout the Marsh and develop a cost sharing arrangement for the installation of water control structures that will benefit the entire Marsh. Each landowner interested in participating in the program must agree to provide at least 60 percent of the replacement cost for these large structures on their properties. The replacements will be made of heavy duty plastic, a material that is unaffected by the brackish water. These structures, while more expensive than the traditional metal pipes, have a projected life span of 50 years. The Board, CWA, DFG and SRCD will jointly evaluate each proposal and approve those that are most in need of replacement. The landowners will be responsible for maintaining the structures for the next 25 years.

Cost estimates for this project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Six 48" Screw/flap gates	\$192,000.00
Twenty-two 36" Screw/flap gates	561,000.00
Eight 24" Screw/flap gates	126,400.00
Project design and management	53,500.00
Contingency	40,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$972,900.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$445,000.00
Landowners	\$527,900.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$972,900.00</u>

The DFG has reviewed this proposal and has recommended Board approval. The grantee will complete the appropriate notice to satisfy the California Environmental Quality Act requirements for each project, and all projects will comply with the SRCD Regional Permit for the Suisun Marsh, approved by the U.S. Army Corps of Engineers. Each landowner will sign a site-specific agreement to manage and maintain the property for 25 years. If at any time during the life of any specific project, the landowner is unable to manage and maintain the project improvements, he or she will refund to the State of California an amortized amount of funds based

on the number of years left on the project life.

Staff recommends that the Board approve this project as proposed; allocate \$445,000.00 from the General Fund - Land Conservation Matching Grants Program; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

27. East Sacramento County Blue Oak Legacy Area, \$2,005,000.00
Sacramento County

This proposal is to consider the allocation of a grant to the Sacramento Valley Open Space Conservancy (SVOSC) to assist in a cooperatively funded project to acquire 2,054± acres of privately-owned property located adjacent to Rancho Murieta, for the protection of oak woodlands and habitat for numerous threatened, endangered and rare species.

The East Sacramento County Blue Oak Legacy Area generally includes properties bounded by Highway 50/City of Folsom on the north, the Sacramento County Urban Services boundary on the west, the Cosumnes River on the south and the Sacramento/El Dorado County line on the east. Specifically, the subject property is located in the northeast and southeast quadrants of Latrobe Road and Scott Road, south of Folsom in eastern Sacramento County. This grant will contribute toward funding the first of a two-phase 4,062± acre purchase in the East Sacramento County Blue Oak Legacy Area by the SVOSC. Phase II is scheduled for acquisition in 2003.

The East Sacramento County Blue Oak Legacy Area links to the Upper Cosumnes River Basin in El Dorado County where the Department of Fish and Game (DFG) has participated with other agencies to acquire properties. Those projects are part of an ongoing effort to preserve a hydrologically intact ecosystem running the 80-mile length of the Cosumnes River from its headwaters in the El Dorado National Forest, then through the Cosumnes River Preserve in the Central Valley. The Cosumnes River is the only river on the western slope of the Sierra Nevada without a major dam and is the last free flowing river system on the west side of the Sierra Nevada.

The area consists of several habitat types, including vernal pools, grassland, blue oak woodland, blue oak savannah and riparian. These habitats support many endangered, threatened and rare species, such as the vernal pool fairy shrimp, vernal pool tadpole shrimp, western pond turtle, valley elderberry longhorn beetle,

western spadefoot toad and Swainson's hawk. Habitats also include vernal pool grassland, grassland, blue oak woodland, blue oak savannah and riparian wetlands.

The appraised fair market value, as approved by the Department of General Services (DGS), is \$5,751,200.00 and the property owner has agreed to sell to the SVOSC for this amount. In addition to the Board's grant in the amount of \$2,000,000.00, other funds secured by the SVOSC, including funds from the County of Sacramento, will provide the remaining funds necessary to acquire the property. It is anticipated that an additional \$5,000.00 will be required for administrative expenses, including DGS's review costs, escrow fees and closing costs, bringing the Board's total allocation for this proposal to \$2,005,000.00.

The terms and conditions of the proposed grant provide that staff will review the appraisal and all proposed title and transfer documents prior to disbursement of funds directly into escrow. After acquisition, a study will be conducted by all agencies concerned to determine a long-term management plan.

Staff recommends that the Board approve the award of a grant to the Sacramento Valley Open Space Conservancy to be applied toward its purchase as proposed; allocate \$2,005,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350(a)(5) for the grant amount and related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

28. Howe Creek Conservation Area, Humboldt County \$ 921,250.00

This proposal is to consider the allocation of a grant to The Pacific Forest Trust (PFT) for a cooperative project with the landowner and the State Coastal Conservancy (SCC) for the acquisition of a conservation easement over 3,640± acres of private land, located near the community of Rio Dell for the protection of riparian habitat, old growth forests and grasslands. More specifically, the property is located 2 air miles west of Highway 101 at Rio Dell, in Humboldt County.

This project will protect open space and upland wildlife habitat in a contiguous block of 3,640+ acres. The proposed easement will allow for the restoration and maintenance of the site's productive forest/meadow ecosystem and will preserve 500+ acres of sensitive riparian habitat on 5 potentially prolific salmonid streams found within the easement area. Price, Oil and Howe Creeks, are the first 3 native salmonid bearing streams on the Eel/Van Duzen system in proximity to the Pacific Ocean. Howe Creek is one of the most highly populated steelhead summer rearing streams on the entire Eel/Van Duzen system. The property also provides habitat

for the northern spotted owl, red tree vole, flying squirrel, mountain lion, bobcat, deer, bear, pacific giant salamander, northern red legged frog and a myriad of other species.

The PFT will own the easement and monitor the property for compliance with the terms of the easement. Management objectives will be driven by a conservation plan between the landowner and the PFT, which will protect stream corridors, stabilize the watershed structure, maintain healthy forests for wildlife and protect upland wetlands.

The Department of General Services (DGS) has approved the fair market value of the easement at \$3,313,953.00. The PFT currently has a purchase agreement with the property owner at a bargain sale amount of \$2,063,000.00. The Board would contribute \$911,250.00 toward the purchase price with the SCC providing the remaining funds necessary to complete the acquisition. An additional \$10,000.00 is needed for DGS's appraisal review cost, escrow and closing costs, bringing the total allocation requested by the Board staff to \$921,250.00.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and instruments of conveyance prior to disbursements of funds directly into escrow.

Staff recommends the Board approve the award of a grant to the Pacific Forest Trust to be applied toward the purchase of a conservation easement as proposed; allocate \$921,250.00 from General Fund - Land Conservation Matching Grants Program to cover the grant amount and related project expenses; authorize staff to enter appropriate agreements necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

29. Riparian Habitat Restoration, Sheepy Creek (Cross Ranch), \$110,000.00
Siskiyou County

This is a proposal to consider the allocation of a grant to the California Waterfowl Association (CWA) for a cooperative project to restore approximately 78 acres of riparian habitat along 2 miles of Sheepy Creek on private property located adjacent to and west of the Lower Klamath National Wildlife Refuge and approximately 2 miles east of the town of Dorris, in Siskiyou County.

The landowner has entered into a 15-year Continuous Conservation Reserve Program (Continuous CRP) contract with the USDA Farm Services Agency (FSA). Under the terms of that contract, cattle will be excluded from the riparian area for

15 years and the landowner will receive annual rental payments. If approved, the proposed grant will provide funding to assist the landowner with fencing and habitat improvements related to the riparian habitat area. The CWA will manage the construction of the fencing and installation of the habitat improvements, which will be completed in approximately 3 years from the date of approval. The landowner has agreed to manage and maintain the improvements for the life of the grant agreement (25 years). If at any time during the life of the grant agreement, the landowner is unable to manage and maintain the project improvements, the landowner will refund to the State of California an amortized amount of funds based on the number of years left on the grant agreement.

Sheepy Creek is a spring fed channel that originates on the Cross Ranch and flows through the property to the Lower Klamath Wildlife Refuge. Historically, the stream channel was narrow and deep, with undercut banks due to the strong rooting structure of the native *Carex* and *Juncus* vegetation. This condition is evident in the high sinuosity and deep central channel that remain. The stream has evolved during recent history to a wide channel with shallow edges, due primarily to cattle grazing activities, exacerbated by muskrat burrowing. The proposed project will include use of root-wad revetments to establish a bank line in a location similar to the historic placement. Soil excavated from a series of off-channel sites will be backfilled behind the root-wad revetments to cover the fill and provide stability. These excavated sites will become broodwater ponds. Cattle will be excluded from the riparian corridor by the installation of fencing, with the provision of three livestock watering sites. The riparian corridor will be planted with locally collected seed and willows/cottonwoods.

The 2000-acre Cross Ranch contains diverse habitats including irrigated meadows, seasonal and semi-permanent wetlands, alfalfa, juniper/sage communities, uplands and riparian areas. The proposed project will enhance and restore habitat that will benefit many wildlife species, including many species of resident and migratory waterfowl, a host of shorebirds, wading birds, neotropical migrants, bald eagle and many other raptors, state-listed greater sandhill cranes and many other wetland associated species. Several private landholdings adjacent to the Cross Ranch also contain wetlands, uplands and forested habitats that compliment the Cross Ranch features. The adjacent 46,900-acre Lower Klamath National Wildlife Refuge has recorded 433 species of wildlife within its boundaries.

The proposed project is consistent with the goals of the Federal Conservation Reserve Program, the California Riparian Habitat Conservation Program and the California Partners in Flight Riparian Habitat Joint Venture. Since June 2000, the FSA has enrolled approximately 2,822 acres of privately-owned riparian land in 47 separate contracts under the Continuous CRP. This program provides an

effective means of attracting interested landowners to using conservation practices that can benefit both the landowner and the environment. The proposed project will enhance the landowner's ability to manage grazing on his property. The fence to be installed will exclude cattle from the riparian zone while allowing the owner to add additional fencing, like spokes on a wheel. The additional fencing will create multiple pastures and, by following rotational grazing practices, the landowner will be able to utilize the pastures more efficiently, thereby making it possible to increase the number of animals grazing on the property.

Funding for this project, if approved, will be provided by the Board, the landowner, the Farm Services Agency and the Bureau of Reclamation. The estimated costs for the proposed project have been reviewed by staff and are as follows:

<u>Description</u>	<u>Estimated Costs</u>
CRP Contract Payments	\$ 79,650.00
Root Wad revetments	24,000.00
Boulder Materials	7,790.00
Revetment Installations	28,700.00
Pond Excavations	17,223.00
Sod Mat Transplants	10,000.00
Equipment Mobilization	1,500.00
Flashboard Risers	300.00
CMP 48" Discharge Pipe	645.00
ADS Poly 18" Discharge Pipe	2,200.00
ADS Poly 24" Discharge Pipe	640.00
Culvert Installations	2,340.00
Riparian Fencing	47,010.00
Livestock Crossings	19,995.00
Livestock Water Sites	8,886.00
Willow and Cottonwood Cuttings	7,500.00
Seed Collection and Plantings	3,000.00
Tule Transplants	1,800.00
Professional Consulting Services	14,000.00
Permitting	750.00
Survey and Design	8,780.00
Construction Supervision	2,000.00
Contingency	18,922.00

<u>TOTAL ESTIMATED COST</u>	<u>\$307,631.00</u>
<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$110,000.00
Farm Services Agency	\$144,869.00
Bureau of Reclamation	\$25,000.00
Landowner	\$27,762.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$307,631.00</u>

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from the California Environmental Quality Act under Section 15304, as it is a minor alteration in the condition of land, water and/or vegetation. The appropriate notice will be filed by staff following Board approval.

Staff recommends the Board approve this project as proposed; allocate \$110,000.00 from the General Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**30. Monrovia Wilderness Preserve, Los Angeles County \$9,035,000.00

This proposal is to consider the allocation of a grant to the City of Monrovia for a project involving the acquisition of approximately 429 acres, composed of 12 ownerships, lying in the foothills of the San Gabriel Mountains in the northern portion of the City. The 429 acres comprising this project are part of approximately 1,000 acres of virtually untouched land that separates the residential portion of Monrovia from the Angeles National Forest to the north. Of the remaining 571 acres, the City has title to approximately 400 acres and is in the process of acquiring 171 acres. Besides the Angeles National Forest to the north, this wilderness area is bordered by Monrovia Canyon Park on the east and Arcadia Wilderness Park and Santa Anita Creek on the west.

Due to its high flora and fauna diversity, this undeveloped wilderness area has been proposed as a Significant Ecological Area by the Los Angeles County Department of Regional Planning. The federally endangered plant species, Braunton's milk vetch, appears to thrive here along with coastal sage scrub, the habitat of the California gnatcatcher, a federally threatened species. Mule deer, mountain lion and black bear have been observed throughout the site, as have hundreds of other non-threatened species of plants and animals.

With this grant application, the City seeks funds to augment the \$9 million it will contribute to the project. To raise these matching funds to prevent the development

of one of the last wild areas of its size in metropolitan Los Angeles County, the citizens of Monrovia voted 77 percent in favor of a property tax. Upon acquisition, the City will preserve the land and protect the attributes (plants and animals) of the property, and at the same time expand outdoor education programs and provide walking, hiking and birdwatching opportunities. The property's natural resources will be preserved and protected in perpetuity as intended by the citizens of Monrovia.

The Department of Fish and Game (DFG) has expressed strong support for this project, citing the area's biological diversity, high quality habitat and vulnerability to development pressure.

The Board's grant would provide the City with \$9,000,000.00 to facilitate its acquisition of one or more properties within the wilderness preserve. Appraisals covering the entire 429-acre project have been approved by the Department of General Services (DGS). The total estimated value of the project area exceeds \$19,000,000.00. It is estimated that an additional \$35,000.00 will be needed for administrative expenses, including DGS's and other review costs, bringing the total recommended allocation for the proposal to \$9,035,000.00.

The terms and conditions of the proposed grant provide that the DFG will review and approve the properties being proposed for acquisition by the City. The grant further provides that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the City's escrow account or accounts for the purchase of these properties.

Staff recommends that the Board approve this project as proposed; allocate \$9,035,000.00 from General Fund - Land Conservation Matching Grants Program; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

31. Staff Report - Easement Transfers

Informational

At the February 24, 1998 Wildlife Conservation Board meeting, the Board authorized the Executive Director to transfer less-than-fee interests (easements, right of ways, etc.) in Department of Fish and Game or Wildlife Conservation Board controlled lands, where the value of the interests is less than \$50,000.00. This was done to improve service to the public and to reduce the cost of processing these transfers.

In addition, the Board placed two conditions on this delegation of authority, the first of which is that in all cases the grant of a less-than-fee interest would be made at the request or with the recommendation of the Department of Fish and Game to assure adequate consideration of impacts on habitat and programs. Secondly, any grant made under this authority would be reported as an informational item at the next available meeting of the Board.

Pursuant to the above described process, the following easement transfers have been completed by staff:

PROJECT TITLE	TRANSFER TYPE	GRANTEE	SIZE	CONSIDERATION
Honey Lake WLA Utility Easement	Utility easement for maintenance	Lassen Municipal Utility District	3.5 ac.	None